

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Easter S. McLeod

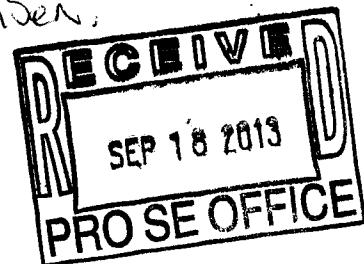
13CV6746

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

- ① Dr. Alan R. Monroe CEO Executive Office FOR EMPLOYMENT DISCRIMINATION
② Dan Dettinen Program Coordinator HUMAN Jury Trial: Yes No
③ Melissa Farber Penske ID, Resources (check one)
④ Goldie DeRoch Director Behavioral Health

(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names.
Typically, the company or organization named in your charge to the Equal Employment Opportunity Commission should be named as a defendant. Addresses should not be included here.)



This action is brought for discrimination in employment pursuant to: (check only those that apply)

✓

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Easter S. McLeod
 Street Address 303-305 E. 135th St.
 County, City Bronx
 State & Zip Code N.Y. 10454 695-5376
 Telephone Number (347) 862-2837 (347) 862-2837

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Melissa Farber
 Street Address 15 N. 65th St.
 County, City MANHATTAN
 State & Zip Code N.Y. 10023-6601
 Telephone Number 212-769-6200

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer Goldie Densh
 Street Address 15 N. 65th St.
 County, City MANHATTAN
 State & Zip Code N.Y. 10023-6601
 Telephone Number 212-769-6200

II. Statement of Claim:

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (*check only those that apply*)

- Failure to hire me.
 Termination of my employment.
 Failure to promote me.
 Failure to accommodate my disability.
 Unequal terms and conditions of my employment.

Retaliation.

Other acts (specify): Sexual Harassment.

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: within the last 8 yrs. (Date(s))

C. I believe that defendant(s) (check one):

is still committing these acts against me.

is not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

race _____

color Afro American

gender/sex _____

religion _____

national origin _____

age. My date of birth is 11/22/61 (Give your date of birth only if you are asserting a claim of age discrimination.)

disability or perceived disability, back Injury (specify) ON Job.

E. The facts of my case are as follow (attach additional sheets as necessary):

Me. Dan Dettmer Sexual Harassment, Inappropriate Comments
1) let me find out you have another job. Suggestive MANNER
I was a prostitute /whore 2) You showing me your ASS for
points. 3) Easter likes a lot of juice rather SAUSAGE.
Witnessed

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: in March (Date)

B. The Equal Employment Opportunity Commission (*check one*):

has not issued a Notice of Right to Sue letter.
 issued a Notice of Right to Sue letter, which I received on 6/26/13 (Date).

Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

60 days or more have elapsed.
 less than 60 days have elapsed.

IV. Relief:

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: emotional Justifications compensated for mental & physical. Money for time out law suit Money for damages FOR 8 YEARS.
(Describe relief sought, including amount of damages, if any, and the basis for such relief.)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18 day of September, 2013.

Signature of Plaintiff

Address

Carly McCloud
303-305 E. 135th St.
Bx. NY. 10454 #13D

Telephone Number

4347-862-2837 6347-695-5376

Fax Number (*if you have one*)

DISMISSAL AND NOTICE OF RIGHTS

To: Easter McLeod
303-305 East 135 Street
Apt. 13-D
Bronx, NY 10454

From: New York District Office
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2013-00572

Amon L. Kinsey, Jr.,
Investigator

(212) 336-3680

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

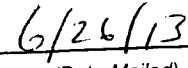
Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Enclosures(s)

Kevin J. Berry,
District Director



(Date Mailed)

cc: Director of Human Resources
JEWISH GUILD FOR THE BLIND
15 W. 65th Street
New York, NY 10023



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office**

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
(212) 336-3620
TTY (212) 336-3622

Easter McLeod
303-305 East 135th Street, Apt. 13D
Bronx, New York 10454

Re: *EEOC Charge No.520-2013-00572
McLeod v. Jewish Guild for the Blind*

Dear Mr. McLeod:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. The procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon information and evidence you submitted, and have determined that further investigation will unlikely result in a determination that respondents violated one of the federal laws enforced by the Commission. Therefore, your charge will be dismissed.

Attached is your Dismissal and Notice of Rights. If you want to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice.

Please contact Investigator Amon Kinsey at (212) 336-3680 if you have any questions.

Sincerely,


for
Kevin J. Berry
District Director

6/26/13
Date

3/5/13

Things That's Been Going On On The 9th Floor

- 1) Mr. Dettmer has been going into Room 903 for hours at a time & the person has been going into his office for the last 6 years back I know.
- 2) He's favors for certain staff.
 - a) Let them leave early & let them leave without taking their lunch.
- 3) Certain staff will be on vacation at the same time.
- 4) When vacation time come at least 4 years in a row he would give P.A. that I have seniority even he would purposely give them my time.
- 5) For quite some time when I come into work when I see him I would get this uncomfortable feeling.
- 6) One of the staff (uniteden) would sleep in groups office, while waiting for the clients to go home & in class rooms with clients that had serunes. Not Nothing was said about that.
- 7) Last but not the least we had a party for one of the Staff members, I asked him to pray over the food he replied (I forgot how to pray).

This is a person who said he was studying to be a "PBEISI".

Betty J. McLeod

Herffend 3/4/13

This is where it all begins (within the last 8 years)

- 1) When my uncle passed away Mr. Dettmer asked me if I could come in from my uncle Fugate's. I just looked at him I didn't respond. 2005
- 2) When my sister came in from Oklahoma City Mr. Dettmer made a comment saying let me find out you have another job I had changed clothes was going to a party on the boat.
- 3) When Ridenale Linsmeyer was coming in the door from up the elevator. I thought he was going to pick up the dog but he didn't he held the door while I picked up the bin. He held the door open and made a comment: Are you trying to show me up? ~~he has too much~~. This is when it all started.
- 4) I live & the start members had made a soup some time back & I had went to room 903 to get more that next morning Mr. Dettmer was coming down the hallway saying Easter likes a lotta juice on → her sausage. I was standing in the doorway of a 906 talking to P.A. We both looked at each other in shock! (It was soup)
- 5) While giving out checks I'm coming out of room 904 Mr. Dettmer says to me what do you make your money I just looked at him then he says Friday & Saturday then he says you probably work the whole weekend, how much does self do you make per night when is your

is your best night. don't answer then I'm walking towards the locker room he says Oh Easter
 I see you have on your Go Go boots. Then he says why don't you stand up to me. Never ANSWERED to his comment. (Overly Shocked Agitated)
 Every time he saw me with cowboy boots on he used to always make comments, What house you gonna ride today.

7) He comes into the prep room while I'm in the men's room with one of the clients at least 12 times during the course of the years. At one time it was a male staff in the men's room and that person said EASTERS is here he saw me but he just came in anyway.

8) After my food out Sea food stir fry I made (On purpose) came in Room 909 and said Are you suppose to clean the refrigerator. I said yes came in room to show me he had took a picture of the milk on his cell phone. Refrigerators was at the time cleaned out on thidng he threw my food out that Thursday. Stephen Ms. Hampdy covered Room staff member than next room was keeping all eye on Room. While I was heating up clients lunch. Ms. Hampdy had told him that the room was unattended he wrote me up for that at that doesn't rule. I pulled mustard in my own back from lifting a consumer WAS out for quite some time on & off with "Doctors Notes" he wrote me up 3 times.

- 11) When staff & myself was working in Room 909 he had data book open he just started talking and not making any sense. He started talking about the time when they closed Vaskers. Entert. You will still love your job but someone else would loose theirs. (Didnt understand what that was about). At that point he said when he's stressed out that the staff will feel it to. (In my mind I said to myself only certain staff).
- 12) The time in 2010 I wanted to go see my Uncle in Florida I called and left messages on his phone about 15 times. In regards to me making a trip. I had vacation in April. he said to me forward and ask staff did they have that time. I had seventy one staff that he had taken that time off. My Uncle is still sick (very) to this day. That really did hurt.....
- 13) I knew that he would give them vacation over me. (At least for 4 years in a row).
- 14) He REARDED him severaltimes in a rage up in the marts while consumers were in hallway cursing Yerit laid.
- 15) Some staff he would let them leave early for appointments and so on....
- 16) At one time we were busing, bring back consumers to get on the bus he SAYS to the mother: You better let these mother fuckers know who the fuck I am. I could not believe the prancy

(7) After busing he was talking to two staff members; he said their Idiots [I don't know who he was] talking about this was said to two other staff members then he says I called them that because I can get away with it.

(8) "This went on for about three years."

He used to call out my name EASTER Real loud in the hallway whenever he saw me he does this to the people he caters to but he knew eventually I wasn't going to fall in that category. Then shortly after he started harassing me all over AGAIN.

(9) The reason I took so long to try to report this is because some people were saying you have to have proof, to my mind I was saying no I'm suppose to except this type of treatment, [That's unacceptable & Unprofessional]

(10) Called me in office a day after he was out and him-pudly had all the board all staff 1/2 hour lunch then at some point she changed it. He called me in his office and says your walking on thin ice.

(11) At another time he came in the room pointed to the DATA sheets & said this is your pay check & walked out. (Puzzled) What was that about.

(12) Most of the time he in a rage, very, very uncomfortable seeing him at ANY given time. I always did what I needed to do just as work is concerned but he would always have something to say no matter what all of a sudden.

(13) Often wondered why he was switching me to different program rooms 4 times the only P.A.

- 22) First he switched me from 906 to 933 for 3 years then switched me AGAIN to 909 for 3 years then switched me back to 906. My thoughts was this man doesn't want me happy in the rooms I was working in. I have a lot of consumers at the floor that has become attached to me in a motherly type of way, I believe in my heart he does not like it.
- 23) The day before I was leaving (A flight) to catch a plane to go see my uncle in Florida. I asked Mr. Bettner could I leave at 3:00 after busing he said I'll see what I could do & the next day I called him & he said I told you I could see what I could do at the last minute he had me doing busing (P.M.) on purpose I was very upset I could have missed my flight. I started crying, I was so hurt. Then he says the program doesn't run on my time. If it was one of his people he likes it wouldn't have been a problem.
- 24) While having a meeting one of the consumers that we longer have now that was in a wheelchair. I mentioned in the meeting I was starting to have back problems (lower) when I looked what I said.
- 25) One of the staff members was coming down the hallway with the consumer (male). Mr. Bettner held the consumer from the help ed them to the staff down the hall. (After F.)

(6)

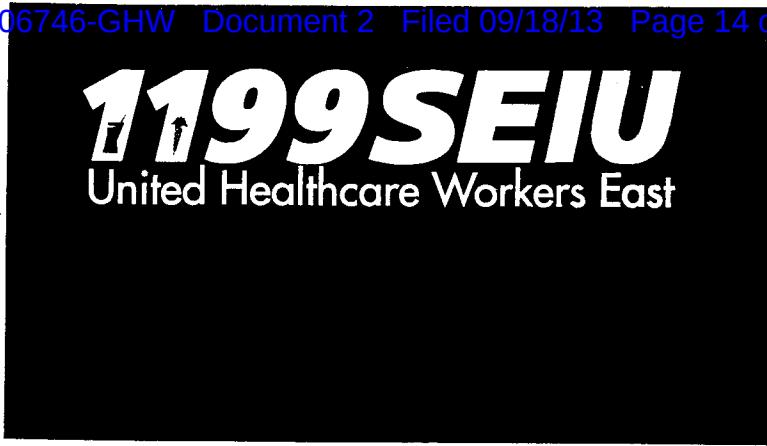
26) I was shocked because I remember the same consumer was slowly going down & MN. Dettmer was behind me & all he did was put his hand on the train bar which I needed him to help me into the room with the consumer. Very unhelpful.

27) I remember one of the consumers in Room 932 we use to go out for lunch on Thursday's for quite some time on my lunch break. All of a sudden he said no more taking out consumer the consumer was very upset & disappointed.

28) On the overall I want him to stop harassing me mentally & spiritually & inappropriately.

Mental, Verbal, Emotional
Distress

Lester F. McLeod



Collective Bargaining Agreement

Between

The Jewish Guild for the Blind

And

SEIU United Healthcare Workers East

January 1, 2011— December 31, 2015

ARTICLE V

NON-DISCRIMINATION; SEXUAL HARASSMENT

It is agreed that The Guild and the Union will not discriminate against any employee on the basis of race, color, religion, age, Union activities, national origin, sex, physical or mental disability, political belief, citizenship status, marital status, sexual or affectional preference, nor in any other manner prohibited by applicable law.

It is The Guild's policy to maintain a workplace free from sexual harassment. Sexual harassment, which will not be tolerated, includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made a term or condition of an individual's employment or continuing employment;
- (2) submission to, or rejection of, the conduct is used as a basis for employment decisions affecting the individual; or
- (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Any employee who feels that she or he is a victim of sexual harassment should immediately report the matter to the Vice President – Human Resources or his/her designee. Violations of the sexual harassment policy may result in discipline up to and including discharge.

9/18/13

Ms. Peltner Program Director

Sexually Harassment In-
Inappropriate Comments.

- 1) Let me find out you have another job. Suggestive MANNER I WAS A PROSTITUTE / WHORE.
- 2) You showing me your ass For points.
- 3) Easter likes a lotta juice on her SAUSAGE. (Witness)
- 4) When do you MAKE your money?
Fridays & Saturday. You probably work the whole weekend.
- 5.) How much do you make per night?
When is your best night.
- 6) I see you HAVE ON your go go boots.
- 7) Which horse are you riding ON today. SEXUAL STATEMENT?
- 8) Latariuskey enters the Mens room while I HAVE male car-
Symen In bathroom. Clients AND Male Treatment Coordinator in
bathroom said out loud Easter in here (Knowledge & Notification)

U) APNIVE

- 1) Dismiss complaints of Medical issues.
- 2) Refused assistance with consumer.
- 3) Refused Denied Right to Consumers on my lunch break to go out for lunch. As Community Inclusion.
- 4) Refused Authorization with timely notice to be dismissed early due to urgency.
- 5) Refused the right to Consumers Relations. FOR A bout 2 years myself & client once a week we would go out for lunch.
A many of Consumers I have a close bond with Mr Detter didn't want and wouldn't let me 1) Build rapport 2) Bond 3) Connect 4) Affiliation 5) Associate for a betterment of Consumers Relationship & CARE.

Retaliation

- 1) Denied me VACATIONS times requested, Disregarded Seniority.
- 2) Demand I came to work during Bereavement / morning.
- 3) INTENTIONALLY with malice & DIS-

- missed of my lunch & food on
any before cleaning assig-
ment to me on FRIDAY'S DUTY.
- a) While "Chainsmen" in my room
covering wrote me up, Com-
plained for being unattended
when N.R. was in room.
 - b) Mr Dettmer is hostile and witness
telling me without burst that I
will still have my job.
 - c) Intentional switching me to
different Program Rooms.
 - d) Threaten me I'm walking on
thin ice.

~~Company Building~~ They all work in the same
Case 1:13-ev-06746-GHW Document 2 Filed 09/18/13 Page 19 of 20 Building
can be contacted by Human Resources.

Melissa Farber-212-769-6200
6200

1. DR. ALAN R. MORSE

(CEO EXECUTIVE OFFICE)

2. GOLDIE DERSH

(VIP) (BEHAVIORAL HEALTH SERVICES

(PSYCHIATRIC CLINIC)

3. MELISSA FARBER

(VIP) HUMAN RESOURCES

4. DONALD DETTMER

(PROGRAM COORDINATOR)

To: DR Alan Morse
To: Phillip Rosenthal
Cc: Neva Shillingford-King
Cc: Donald Crosswell
Cc: Melissa Farber

**From: Concern Workers and members of 1199 SEIU Union
TITLE: Program Aide and Workers of Jewish Guild for the blind**

Date: May 1, 2013

Re: Inappropriate conduct of Don Dettner Supervisor Day Treatment Program

We the undersigned workers of the Jewish Guild for the Blind and members of the 1199/SEIU Union are extremely concerned and upset of the continuous disrespect and inappropriate conduct of Don Dettner supervisor in the Day Treatment Program. He has continued to make inappropriate comments and behavior when addressing his staff and others. This ongoing situation has caused a hostile and unhealthy work environment. There were several meetings in the past and most recent to address this type of behavior, to which there were no appropriate resolution. This has caused a great decrease in members moral and their ability to function.

We strongly urge that management in good faith meet with us and the union to address this stressful situation. We await your reply.

Thank you for your anticipated cooperation.

Print name:

Signatures: